



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

February 16, 2016

The Boiling Crab, c/o Dada Ngo  
16027 Brookhurst St., #G-168  
Fountain Valley, CA 92708

**REGARDING: PROJECT NO. R2015-02101-(4)  
CONDITIONAL USE PERMIT NO. 201500082  
18922 EAST GALE AVENUE, ROWLAND HEIGHTS (APN 8264-021-014)**

Hearing Officer Gina Natoli, by her action of **February 16, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **March 1, 2016. Appeals must be delivered in person.**

**Appeals:** To file an appeal, please contact:  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or by email at [rclaghorn@planning.lacounty.gov](mailto:rclaghorn@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

 Richard Claghorn for  
Robert Glaser, Supervising Regional Planner  
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement; APEX LA c/o Margaret Taylor; Mandarin Plaza Group, LLC c/o Susan Chow

RG:RC

**FINDINGS AND ORDER  
OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02101-(4)  
CONDITIONAL USE PERMIT NO. 201500082**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing on February 16, 2016, in the matter of Project No. R2015-02101-(4), Conditional Use Permit No. 201500082 ("CUP").
2. The permittee, the Boiling Crab restaurant ("permittee"), requests a CUP to authorize the sale of beer and wine for onsite consumption within an existing restaurant unit ("Project") located at 18922 East Gale Avenue in the unincorporated community of Rowland Heights ("Project Site") in the M-1.5-BE (Restricted Heavy Manufacturing-Billboard Exclusion) Zone pursuant to County Code Sections 22.32.140 and 22.56.195. The proposed restaurant hours are 9:00 a.m. to 12:00 a.m. (midnight), seven days per week.
3. The Project Site is a 6.56 acre parcel which contains the Mandarin Plaza shopping center, which consists of six separate buildings with a total area of 58,546 square feet. The Boiling Crab restaurant will occupy the east portion of the main building near Gale Avenue on the north part of the parcel in a unit that was previously the Coconut Bay restaurant but is currently vacant. The Assessor's Parcel Number (APN) is 8264-021-014. The Project Site is irregular in shape and is located at the southwest corner of Gale Avenue and Nogales Street and abuts the Pomona Freeway, which is immediately to the south of the parcel. The site is mostly flat with only a slight slope.
4. The Project Site is located in the Puente Zoned District and is zoned M-1.5-BE, except for a small narrow strip along Nogales Street in the northeast part of the Project Site, which is in the B-1 (Buffer) Zone. The subject restaurant and all buildings and parking spaces on the property are within the M-1.5-BE Zone.
5. The Project Site is located within the Industrial land use category of the Rowland Heights Community General Plan ("Community Plan") Land Use Policy Map.
6. Surrounding Zoning within a 600-foot radius includes:  
  
North: M-1.5-BE, B-1 (Buffer)  
South: C-3-BE (General Commercial-Billboard Exclusion), R-3-12U (Limited Multiple Residence-12 Dwelling Units Per Acre)  
East: M-1.5-BE, B-1  
West: M-1.5-BE
7. Surrounding land uses within a 600-foot radius include:  
  
North: 99 Ranch Market shopping center, recycling center, distribution center

South: freeway, mobile home park, Pearl of the East shopping center, motel, restaurant, single-family residences  
East: gas station, car wash, mini mart, psychic, auto repair, public storage, warehouse, industrial, utility  
West: motel

8. The Project Site is accessible via Gale Avenue to the north.
9. The Sheriff recommended approval of this Project in a letter from August 7, 2015. The letter indicates that the Sheriff has no specific concerns about the property and that there have only been calls for alarm activations and routine calls. The letter also recommended conditions be added requiring installation of security cameras and alarms.
10. The occupant load for the restaurant, as determined by the Department of Public Works Building and Safety Division, is 345 persons. The occupant load was previously calculated as 352 persons in 1991.
11. The Project Site was zoned A-1-10,000 (Light Agricultural, 10,000 Square Foot Minimum Required Lot Area) by Ordinance 5122, effective June 24, 1948. It was rezoned to M-1.5 by Ordinance 6651, effective April 15, 1955, except for a narrow strip in the northeast part of the site, which was zoned B-1. Ordinance 9388, effective September 1, 1967, slightly expanded the M-1.5 zoned area on the south part of the site based on a change to the freeway alignment and parcel boundary. The zoning of the M-1.5 zoned portion of the site was changed to M-1.5-BE under Ordinance 86-00962, effective July 11, 1986.
12. The shopping center that is now known as Mandarin Plaza was originally approved by the Los Angeles County Department of Regional Planning ("DRP") under Plot Plan 32580 on June 12, 1984. It was then known as Rowland Heights II Shopping Center and was modified through later approvals, although the basic property layout has remained essentially the same. On October 30, 1991, Plot Plan 32580 was approved for a restaurant in the former Coconut Bay unit, which had an occupancy load of 352 persons. CUP 96-024 was approved for beer and wine sales within the restaurant where the current Boiling Crab is now located, at 18902 East Gale Avenue, on July 10, 1996. Tenant improvements and signage to convert this restaurant space into the Boiling Crab were approved under Plot Plan 201000055 on August 31, 2010. CUP 201300142 was approved for continued beer and wine sales in the current Boiling Crab restaurant on February 4, 2014. Plot Plan 201500068 was approved on May 5, 2015 for tenant improvements for the proposed Boiling Crab restaurant in the former Coconut Bay restaurant space, with a floor area of 11,430 square feet and an occupant load of 345. There was no previous CUP for the former Coconut Bay unit, but an ABC license was issued for it before the CUP requirement became effective on October 9, 1992. A full line (Type 47) ABC license was issued on October 6, 1992 for this unit, which remained active until it was

recently surrendered and cancelled. It was surrendered as of August 31, 2015 and the business has closed.

13. Regional Planning staff determined that the Project qualifies for a Class 1 (Existing Facilities) categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the sale of alcoholic beverages in an existing restaurant.
14. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and property posting.
15. No comments have been received from the public at this time.
16. A duly noticed public hearing was held on February 16, 2016 before the Hearing Officer. A presentation of the Project was made by staff, during which changes to the draft findings and conditions were discussed. Additional restaurants with existing licenses to sell alcoholic beverages within a 500 foot radius of the Project Site were added to Finding No. 26 and conditions recommended by the Sheriff's Department were added as Conditions No. 33 and 34. The project representative, Margaret Taylor, spoke in support of the Project and agreed with the revised findings and conditions as discussed during the staff presentation. She also presented a petition to the Hearing Officer signed by people in support of the Project. There being no further testimony, the Hearing Officer closed the public hearing, determined that the project is categorically exempt, and approved the Project subject to the revised findings and conditions.
17. The Hearing Officer finds that the Project is consistent with the goals and policies of the Los Angeles County General Plan ("General Plan"). The Project is located within the Rowland Heights Community General Plan ("Community Plan"), a component of the General Plan. Both the General Plan and the Community Plan contain policies to ensure compatibility of development with the surrounding area. General Plan *Land Use Element Policy 5.2 is to "Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs."* The Boiling Crab restaurant will be relocated to a new and larger unit within the same shopping center which was previously occupied by another restaurant, and it will continue to sell beer and wine for on-site consumption within the larger restaurant. The previous occupant of this space, Coconut Bay, offered a full line of alcoholic beverages, so the Boiling Crab will be a less intense use than the previous tenant in terms of the range of alcoholic beverages offered. This permit would allow the restaurant to continue to offer a wide range of beverage options to its customers in its new location, and will include appropriate conditions.
18. The Hearing Officer finds that the Community Plan also contains a policy relevant to the Project. Policy No. 2 of the Noise section (Page 29) is to "encourage the location of commercial and industrial structures where appropriate along freeway and

highway routes." The restaurant is located adjacent to the Pomona Freeway (State Route 60) and Nogales Street, a Major Highway, in a location appropriate for such uses. This location is consistent with the policies of the Community Plan.

19. The Hearing Officer finds that the proposed use is consistent with the M-1.5-BE zoning classification because the sale of alcoholic beverages is permitted within the M-1.5 Zone with a CUP pursuant to Sections 22.32.140 and 22.56.195 of the County Code.
20. The Hearing Officer finds that the Project satisfies the Conditional Use Permit Burden of Proof findings in Section 22.56.040 and the additional alcohol burden of proof findings in Section 22.56.195B of the County Code.
21. The Hearing Officer finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The restaurant provides another dining option for the community and will not endanger or jeopardize the general welfare as long as it is operated according to the applicable regulations and requirements, including the CUP conditions, requirements of the Sheriff's Department and requirements of the Department of Alcoholic Beverage Control. The subject restaurant is well buffered from surrounding residential areas to the south and all immediately surrounding land uses are either commercial or industrial. The restaurant is consistent with other uses in the area and the previous restaurant with a full line of alcohol in the same unit did not adversely affect the surrounding area, nor has the existing Boiling Crab restaurant in the same shopping center, based on the Sheriff's letter. The new tenant will accept and abide by all conditions and requirements.
22. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The Boiling Crab restaurant is located in a 58,546-square-foot commercial center with 493 parking spaces. The subject parcel is 6.46 acres. The commercial center was legally established in 1984 pursuant to Plot Plan 32580 and met all applicable development features at the time of approval. Based on the analysis of current uses, 488 parking spaces are required, including 115 spaces for the subject restaurant.
23. The Hearing Officer finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required. The subject restaurant is in a commercial center accessible from Gale Avenue, a 66-foot-wide street, which is accessible from Nogales Street, a 100-foot-wide Major Highway as designated on the County Master Plan of Highways. Nogales Street is proposed to have Class II Bike Lanes as part of the 2012 County Bicycle Master Plan. Sidewalks are located along Gale Avenue and Nogales Street.

24. The Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius. There are no places used exclusively for religious worship, schools, parks, playgrounds, or any similar use within 600 feet of the subject property.
25. The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. The Project is buffered from residential uses by the Pomona Freeway and by surrounding commercial and industrial uses, so no residential areas would be adversely impacted by the Project. The nearest residential use is a mobile home park approximately 350 feet to the southwest, on the opposite side of the freeway. There is a single-family residential neighborhood over 600 feet to the southeast, also on the opposite side of the freeway.
26. The Hearing Officer finds that the requested use at the proposed location will not result in an undue concentration of similar premises. According to the available records there are 12 businesses currently selling alcoholic beverages on the subject property or within 500 feet of the property, including 10 restaurants and two markets. This does not include Coconut Bay, which is currently closed and has a cancelled ABC license. Although there are other businesses with on-site and off-site alcohol sales within 500 feet, it is not considered an undue concentration of establishments selling alcoholic beverages because no off-site sales are proposed. Since another restaurant in the same unit, Coconut Bay, had a full line of alcohol sales at this location for approximately 23 years, the restaurant use with alcohol sales is well established at this site and is suitable for this location. The current Boiling Crab restaurant has also operated without any reported problems or violations. The Sheriff's Department was consulted with regard to this Project and recommends approval of the CUP with conditions.
27. The Hearing Officer finds that the requested use will not adversely affect the economic welfare of the nearby community. The reopening of this business is expected to have a positive economic effect on the community. It will provide jobs and will bring tax revenue and income into the community and will reopen a currently vacant establishment.
28. The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of other commercial structures in the vicinity, and that it will not cause blight or deterioration or substantially diminish or impair property values in the neighborhood. The exterior appearance of the structure will be consistent with the structures in the surrounding area. Tenant improvements are proposed to the existing structure's interior, but the exterior will not change significantly. New signage will be consistent with the approved sign program and Rowland Heights Community Standards District requirements.

29. The Hearing Officer finds that it is necessary to limit the term of the grant to fifteen (15) years to assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses.
30. The Hearing Officer finds that pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. All neighboring property owners within 500 feet of the Project Site were notified by mail, including 14 different owners. Additionally, the case materials were available on Regional Planning's website and at the Rowland Heights Library. A total of 12 Notices of Public Hearing were mailed to those on the courtesy mailing list for the Puente Zoned District and a notice was sent to the State of California Department of Alcoholic Beverage Control.
31. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and Community Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

- G. The requested use at the proposed location will not result in an undue concentration of similar premises because the use does not include any sales of alcoholic beverages for off-site consumption.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 1, Existing Facilities); and
- 2. Approves Conditional Use Permit No. 201500082, subject to the attached conditions.

**ACTION DATE: February 16, 2016**

RG:RC  
February 16, 2016

c: Zoning Enforcement, Building and Safety



**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02101-(4)  
CONDITIONAL USE PERMIT NO. 201500082**

**PROJECT DESCRIPTION**

The project is a conditional use permit to authorize the sale of beer and wine for onsite consumption within a restaurant subject to the following conditions:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but

not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 16, 2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new CUP application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, the sale of alcoholic beverages and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial** (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information

about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A."
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **four (4) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

**PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)**

19. This grant shall authorize the sale of beer and wine for on-site consumption in association with a restaurant.
20. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
21. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Part 10 of Chapter 22.52 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
22. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control (ABC). All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
23. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar

structures, nor shall such advertising be visible from the exterior of the restaurant facility.

24. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
25. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
26. There shall be no consumption of alcoholic beverages outside the designated areas of the subject restaurant facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
27. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
28. All servers of alcoholic beverages must be at least 18 years of age.
29. There shall be no music or other noise audible beyond the restaurant premises.

**PROJECT SITE-SPECIFIC CONDITIONS**

30. This grant authorizes the sale of alcoholic beverages from 9:00 a.m. to 12:00 a.m. (midnight) seven days per week. If more restrictive hours of operation requirements are imposed by ABC, then the more restrictive hours shall be observed.
31. Food service shall be continuously provided during operating hours.
32. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
33. Install security cameras inside the restaurant and outside facing the parking lot.
34. Install burglary and robbery alarms.